

This collection also covers additional information that may be gathered by the USPTO after a biological material is deposited into the recognized depository. For example, depositors may be required to submit verification statements for biological materials deposited after the effective filing date of a patent application or written notification that an acceptable deposit will be made. Occasionally a deposit may be lost, contaminated, or is not able to self-replicate, and a replacement or supplemental deposit needs to be made. This information collection includes a required written notification that the depositor must submit to the USPTO disclosing the particulars of such situation and request a certificate of correction by the USPTO authorizing a replacement or supplemental deposit.

There are no forms associated with the information collected by the USPTO in connection with the deposit of biological materials, however there are forms available under the Budapest Treaty for use with international depositories.

## B. Depositories

Institutions that wish to be recognized by the USPTO as a suitable depository to receive deposits for patent purposes, are required by 37 CFR 1.803(b) to make a request demonstrating that they are qualified to store and test the biological materials submitted to them under patent applications (see also MPEP 2405). This collection covers the information that a depository must submit to the USPTO when seeking recognition by the Office as a suitable depository under 37 CFR 1.803(a)(2). This information enables the USPTO to evaluate whether such a depository has internal practices (both technical and administrative) and the technical ability sufficient to protect the integrity of the biological materials being stored by U.S. patent applicants. This information includes:

(1) The name and address of the depository seeking recognition under 37 CFR 1.803(a)(2),

(2) Detailed information as to the capacity of the depository to comply with the requirements of 37 CFR 1.803(a)(2), including information on its legal status, scientific standing, staff, and facilities;

(3) An indication that the depository intends to be available, for the purposes of deposit, to any depositor under these same conditions;

(4) Where the depository intends to accept for deposit only certain kinds of biological material, specify such kinds; and

(5) An indication of the amount of any fees that the depository will, upon acquiring the status of suitable depository under paragraph (a) (2) of this section, charge for storage, viability statements and furnishings of samples of the deposit.

This collection also includes additional information gathered by the USPTO that may be needed after a depository has been recognized by the USPTO under 37 CFR 1.803(a)(2), such as requests to handle additional types of biological materials other than the material originally recognized, and viability statements that depositories may submit on behalf of depositors for deposits tested at the depository and/or documentation proving the public has been notified about where to obtain samples. There is no application form associated with requests under 37 CFR 1.803(b) to become a recognized depository.

*Form Number(s)*: No form associated for domestic depositories; Forms BP/1, BP/2, BP/3, BP/9 for use of international depositories under the Budapest Treaty.

- BP/1 (Statement in the Case of an Original Deposit (Rule 6.1)).
- BP/2 (Statement in the Case of a New Deposit with the Same International Depository Authority (Rule 6.2)).
- BP/3 (Statement in the Case of a New Deposit with Another International Depository Authority (Rule 6.2)).
- BP/9 (Viability Statement (Rule 10.2) (International Form)).

*Type of Review*: Extension and revision of a currently approved information collection.

*Affected Public*: Private sector.

*Respondent's Obligation*: Required to obtain or retain benefits.

*Frequency*: On occasion.

*Estimated Number of Annual Respondents*: 3,301 respondents.

*Estimated Number of Annual Responses*: 3,301 responses.

*Estimated Time per Response*: The USPTO estimates that the responses in this information collection will take the public approximately between 1 hour and 5 hours to complete. This includes the time to gather the necessary information, create the document, and submit the completed request to the USPTO.

*Estimated Total Annual Respondent Burden Hours*: 3,305 hours.

*Estimated Total Annual Respondent Non-Hourly Cost Burden*: \$9,259,809.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov).

Follow the instructions to view Department of Commerce, USPTO information collections currently under review by OMB.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function and entering either the title of the information collection or the OMB Control Number 0651-0022.

Further information can be obtained by:

- *Email*: [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0022 information request" in the subject line of the message.

- *Mail*: Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

**Justin Isaac,**

*Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.*

[FR Doc. 2023-03970 Filed 2-24-23; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

[Docket Number DARS-2022-0033; OMB Control Number 0750-0001]

### Information Collection Requirement; Defense Federal Acquisition Regulation Supplement Performance-Based Payments—Representation

**AGENCY**: Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION**: Notice.

**SUMMARY**: The Defense Acquisition Regulations System has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

**DATES**: Consideration will be given to all comments received by March 29, 2023.

**SUPPLEMENTARY INFORMATION**:

*Title and OMB Number*: Defense Federal Acquisition Regulation Supplement (DFARS) Performance-Based Payments—Representation; OMB Control Number 0750-0001.

*Type of Request*: Extension of a currently approved collection.

*Affected Public*: Businesses or other for-profit and not-for-profit institutions.

*Respondent's Obligation*: Required to obtain or retain benefits.

*Number of Respondents:* 710.

*Annual Responses:* 710.

*Annual Burden Hours:* 71.

*Reporting Frequency:* On Occasion.

*Needs and Uses:* This information collection concerns the Defense Federal Acquisition Regulation Supplement (DFARS) solicitation provision at 252.232–7015, Performance-Based Payments—Representation. This provision is prescribed at DFARS 232.1005–70(b) for use in solicitations where the resulting contract may include performance-based payments. This representation is included in the annual representations and certifications in the System for Award Management. Paragraph (b) of the provision requires the offeror to check a box indicating whether the offeror's financial statements are in compliance with Generally Accepted Accounting Principles. DoD will use this information to decide whether the offeror is eligible for performance-based payments. The burden has increased due to the use of current labor rates and current data from the Federal Procurement Data System.

Comments and recommendations on the proposed information collection should be sent to Ms. Susan Minson, DoD Desk Officer, at [Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

You may also submit comments, identified by docket number and title, by the following method: Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments.

*DoD Clearance Officer:* Ms. Angela Duncan. Requests for copies of the information collection proposal should be sent to Ms. Duncan at [whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil](mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil).

**Jennifer D. Johnson,**

*Editor/Publisher, Defense Acquisition Regulations System.*

[FR Doc. 2023–03905 Filed 2–24–23; 8:45 am]

**BILLING CODE 5001–06–P**

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### **Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Installation of a Terminal Groin Structure Along the Inlet Shoulder of the New River Inlet and the Placement of the Dredge Material for the Fillet Along Approximately 2,000 Linear Feet of Ocean Shoreline of North Topsail Beach in Onslow County, NC**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE), Wilmington District, Wilmington Regulatory Field Office has received a request for Department of the Army (DA) authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbor Act, from the Town of North Topsail Beach to construct a terminal groin and its associated oceanfront fillet placement along approximately 2,000 linear feet of oceanfront shoreline. Additionally, the installation of the terminal groin will be conjunction with the existing May 27, 2011, DA authorization that permitted the Town to relocate the New River Inlet ebb tide channel, conduct maintenance events within the channel, and perform a phased beach nourishment along approximately 11 miles of oceanfront shoreline. The DA authorization for the maintenance operation expires on December 31, 2041. The main purpose of adding the terminal groin is to provide additional shoreline protection of the Town's infrastructure, specifically along the northeastern end of island.

**DATES:** No comments are requested, so there are no dates applicable to this Notice of Intent.

**ADDRESSES:** Questions regarding this notice may be submitted to: U.S. Army Corps of Engineers, Wilmington District, Regulatory Division. ATTN: File Number: SAW–2016–02091, 69 Darlington Avenue, Wilmington, NC 28403 or [mickey.t.sugg@usace.army.mil](mailto:mickey.t.sugg@usace.army.mil).

#### **FOR FURTHER INFORMATION CONTACT:**

Questions about the proposed action and Draft EIS can be directed to Mr. Mickey Sugg, Chief, Wilmington Regulatory Field Office, at telephone (910) 251–4811; email [mickey.t.sugg@usace.army.mil](mailto:mickey.t.sugg@usace.army.mil); or regular mail at (see **ADDRESSES**).

#### **SUPPLEMENTARY INFORMATION:**

1. *Proposed Action.* On May 27, 2011, the USACE granted DA authorization to

the Town of North Topsail Beach to implement a shoreline protection project, which encompassed the relocation of the New River Inlet ebb tide channel and nourishment of approximately 11 miles of the Town's oceanfront shoreline. This authorization also allowed the Town to conduct channel maintenance dredging to maintain the ebb tide channel within a pre-determined location to improve shoreline protection along the eastern end of the island. The initial construction of the channel relocation was completed in January 2013, but no subsequent maintenance dredging has taken place. Upon the completion of the channel relocation, the Town re-evaluated the post-construction conditions and the project's performance and is currently seeking to supplement the existing inlet management project with the installation of a terminal groin to enhance the oceanfront protection along the most western end of the island.

The proposed plans for a terminal groin consist of constructing the structure along the eastern shoulder of the New River Inlet and building the groin's fillet (or oceanfront shoreline) with material dredged during an inlet channel maintenance event. The terminal groin would consist of a 2,021-ft-long sheet pile and rubble-mound structure with several distinct components, including a 345-ft-long sheet pile anchor section extending landward of the primary dune, an 894-ft-long sheet pile upland section extending seaward from the primary dune across the inlet/oceanfront dry beach, and a 782-ft-long rubble mound in-water section extending seaward of the MHW line. The anchor and upland sheet pile groin sections would have maximum crest elevations of +5 feet NAVD that are slightly lower than the natural beach berm elevation of +6 ft NAVD. The in-water rubble-mound section, consisting of 4- to 6-ft-diameter granite armor stone, would have a crest elevation of +5 feet NAVD, a crest width of 5 feet, and a base width of ~40 feet. Conventional land-based heavy equipment would be used to construct both the onshore and in-water groin sections. Construction of the onshore (anchor and upland) sections would involve excavating the groin footprint, installing sheet pile and armor stone scour aprons to design specifications, covering the completed structure with the original excavated material, and grading the work area to reestablish pre-construction beach profiles. Depending on the position of the shoreline, construction of the in-water groin